



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, Washington 98101

Reply to
Attn of: WD-133

May 22, 1995

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dustin Ramsey, Vice President
Eagle Stop & Save, Inc.
402 E. Yakima Ave., Suite 510
Yakima, Washington 98901

Re: NOTICE OF VIOLATION

Underground Storage Tank (UST) Facility (#4-260115)
Yakama Indian Reservation, Washington

Mr. Ramsey:

This letter is a followup to my inspection of the subject UST facility on April 20, 1995. At this inspection, Marilyn Lowery and Cecil Compo of your organization were present and were very helpful.

The more pertinent observations from this inspection are as follows:

- ▶ The monthly leak detection method used for the USTs is an automatic tank gauge (ATG). From a review of the ATG records, it appears that release detection testing was satisfied for October 1994 and for the period of January through April 1995; but that the ATG system was inoperable during November through December 1994. (Records for this and similar monthly piping leak detection must be retained for the past 12 months. If operation problems occur in any of the leak detection equipment, repairs of such systems must be made in a timely manner.)
- ▶ The USTs were "Sti-P3" tanks, and their corrosion protection systems had been tested in December 4, 1994 with successful results. (The required testing of the cathodic protection must be done within three years of the last test date.)
- ▶ The release detection system for the pressurized underground piping appears to be the use of double-walled piping with interstitial monitoring; however, it was not known how monthly interstitial checks were made and recorded, if at all.
- ▶ The required use of automatic line leak detectors was also noted; however, an annual test of operation of these units did not appear to have been done.
- ▶ No proof of financial responsibility for operation of the UST systems was available. It was not known whether these records are just located elsewhere, or if such a mechanism does not exist. (The common mechanism used to satisfy this requirement is an insurance policy.)

Given the above, Eagle Stop & Save, Inc. is hereby directed to bring the subject facility into compliance with the appropriate federal regulations (Title 40 C.F.R. Part 280) for the three UST systems not

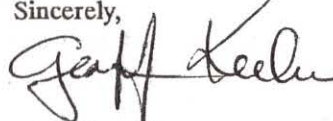
later than July 15, 1995. As evidence of compliance, please submit to me the following documentation not later than July 31, 1995:

1. Copies of the ATG leak detection testing records for the months of May through July 1995. The minimum requirement is a single successful tank tightness test per tank per month (reference 40 CFR §280.41 (a)).
2. Certification by a qualified installer/tester, of the equipment (if any), and procedures used for the required monthly interstitial monitoring (reference 40 CFR §280.41 (b)).
3. Certification by a qualified tester of the successful testing of the facility's three automatic line leak detector units (reference 40 CFR §280.44 (a)).
4. A copy of the financial responsibility mechanism used for this facility (reference 40 CFR §280 Subpart H).

No penalty or fine is being assessed at this time; however, failure to comply with the above requirements may result in formal enforcement proceedings initiated by the EPA. Penalties in such cases can be as high as \$10,000 per day of non-compliance.

If you have any questions, please do not hesitate to contact me at (206) 553-1089, or at (800) 424-4372, ext. 1089. Some EPA literature on approved release detection systems ("Musts for USTs") was given to Ms. Lowery at the inspection; and a copy of the federal regulations regarding leak detection, a brochure entitled "Dollars and Sense," and a flyer on Washington state's re-insurance program are also enclosed for your reference.

Sincerely,



Geoff Keeler
Compliance Officer

Enclosures (2)

cc: Jannine Jennings, Environmental Protection Program, Yakama Indian Nation
Marilyn Lowery, Manager, Eagle Stop & Save, Inc., Wapato